



City of Santa Barbara  
Building & Safety Division

Community Development  
630 Garden Street  
805-564-5485

## **Relief From Unreasonable Hardship Requirements**

2013 California Building Code, 11B-202.4, Exception 8

### **PATH OF TRAVEL ACCESSIBILITY REQUIREMENTS**

An unreasonable hardship may exist where the cost of providing an accessible entrance, path of travel, sanitary facilities, public phones, drinking fountains, etc. exceeds 20% of the adjusted cost of the project without these features.

When the adjusted construction cost of alterations, structural repair or additions exceeds the current valuation threshold as noted in 11B-202.4, **and the Building Official finds that compliance with the code creates an unreasonable hardship** (based on an overall evaluation of the following factors: 1. The cost of providing access; 2. The cost of all construction contemplated; 3. The impact of the proposed improvements on financial feasibility of the project; 4. The nature of the accessibility which would be gained or lost; and 5. The nature of the use of the facility under construction and its availability to persons with disabilities), the actual work of the project must comply with current code and an amount equal to at least 20% of the cost of the project must be spent to improve the required "path of travel" accessibility features that are not in compliance with the current code.

**Path of Travel** – An identifiable accessible route within an existing site, building or facility by means of which a particular area may be approached, entered and exited, and which connects a particular area with an exterior approach (including sidewalks, streets and parking areas), an entrance into the facility, and other parts of the facility. When alterations, structural repairs or additions are made to existing buildings or facilities, the term "path of travel" also includes the toilet and bathing facilities, telephones, drinking fountains and signs serving the area of work.

In choosing which accessible elements to provide, priority should be given to those elements that will provide the greatest access, by providing code compliance in the following order:

1. An accessible primary entrance.
2. An accessible route to the altered area.
3. At least one accessible restroom for each sex.
4. Accessible public telephones (when provided).
5. Accessible drinking fountains (when provided).
6. When possible, additional accessible elements such as additional parking, storage and alarms.

**If you want to request relief from an unreasonable hardship, you must complete the Request For Relief From Unreasonable Hardship, and prepare a site plan and floor plan of the existing and proposed accessibility features.** This information must be submitted to the Building & Safety Division prior to processing of your permit application. If the request is approved, one copy of the approval will be returned to the applicant and must be reproduced on the alteration plans.

Please note that this request is subject to approval by the Building Official and is eligible to be appealed to the Fire & Building Code Board of Appeals.

Additionally, barrier removal is ongoing obligation for the Americans with Disabilities Act and the granting of an unreasonable hardship does not exempt the obligation of removing barriers in a reasonable time frame. By signing the Request For Relief From Unreasonable Hardship document, you acknowledge that the project will be in reasonable compliance with Chapter 11B of the California Building Code but will not necessarily fully comply with the Americans With Disabilities Act.